

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Elisha Vary

Case: 2:25-mj-30341

Assigned To : Unassigned

Assign. Date : 5/27/2025

Case No.

Description: RE: SEALED MATTER
(EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 13, 2024 in the county of Jackson in the
Eastern District of Michigan, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. § 922(g)(1)

Felon in possession of a firearm

This criminal complaint is based on these facts:

see attached affidavit.

☒ Continued on the attached sheet.*Complainant's signature*

Jessica M. Salley, Special Agent (ATF)

*Printed name and title*Sworn to before me and signed in my presence
and/or by reliable electronic means.Date: May 27, 2025City and state: Detroit, Michigan*Judge's signature*

Hon. David R. Grand, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR
A CRIMINAL COMPLAINT AND AN ARREST WARRANT**

I, Jessica M. Salley, being duly sworn, state as follows:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since February 2005.
2. As part of my duties as a Special Agent, I investigate criminal violations of firearms laws and violent crimes. As a Special Agent, I have participated in numerous investigations that involve illegal possession and use of firearms and ammunition during and in relation to crimes of violence. I have participated in investigations that have led to the issuance of search warrants, including social media warrants involving violations of firearms laws and violent crimes. I have received training and participated in investigations involving violations of firearm, arson, and explosive laws, as well as violations of narcotics laws. In conducting these investigations, I have used a variety of investigative techniques and resources, which have included physical and electronic surveillance, monitoring court-authorized wiretaps, the use of confidential informants, undercover agents, and securing other relevant information using other investigative techniques.

3. This affidavit is submitted in support of a complaint charging Elisha VARY with felon in possession of a firearm, in violation of Title 18, United States Code, Section 922(g). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint, I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

4. This affidavit is based on my personal knowledge, my participation in the investigation, information provided to me by other law enforcement agents and officers, witness interviews, records from various law enforcement databases and data received from electronic service providers, my training and experience, and the training and experience of other law enforcement officers with whom I have consulted.

PROBABLE CAUSE

5. On September 13, 2024, an officer responded to a weapons call in Jackson, Michigan, in the Eastern District of Michigan. The caller advised that her son (S1) pulled out a gun saying he was going to kill everybody. The caller provided S1's last known location and a description of the car he was in (Suspect Vehicle 1).

6. The officer located a vehicle matching the description given of Suspect Vehicle 1. The officer saw three individuals at the rear passenger side of Suspect Vehicle 1 attempting to walk away. The officer was able to stop two of the individuals and detain them; the third left the scene. The two individuals stopped near Suspect Vehicle 1 were Elisha VARY and S1.

7. An officer looked through the rolled down driver's side window of Suspect Vehicle 1 and saw a black Ruger SR 45, .45 caliber pistol in plain view on the driver side floorboard. Officers retrieved the Ruger and found that it was loaded with one round in the chamber. A second firearm, a 9mm Hi-Point, was located under the back passenger side seat.



Photograph of the black Ruger SR 45 handgun located in Suspect Vehicle 1.

8. Law enforcement officers listened to a Jackson County Jail call placed on September 14, 2024, where S1 was speaking to his mom.

During the call, S1 said “they parked the car and got out” referring to when the three occupants of Suspect Vehicle 1 were approached by the police on September 13, 2024.

9. On December 26, 2024, officers were dispatched for a report of a shooting in Jackson, Michigan. The victim had been shot by an individual (S2) who had just delivered food to the victim. A few hours later, officers located S2’s vehicle, Suspect Vehicle 2, and detained the three occupants. VARY was driving the vehicle, and S2 was not one of the three occupants.

10. Suspect Vehicle 2 was searched pursuant to a search warrant and the officers located three cell phones, including one belonging to VARY. They also found VARY’s Michigan ID in Suspect Vehicle 2.

11. Officers searched S2’s phone and found that in May 2024, S2 attempted to sell a .45 caliber Ruger Model SR 45. They also found a picture of the Ruger SR 45 on her phone.



Photograph of the Ruger SR 45 from S2's phone.

12. Officers searched VARY's phone pursuant to a search warrant. On it, law enforcement found pictures of VARY holding a Ruger SR 45, the same make, model, and coloration of pistol that officers located in the Suspect Vehicle 1 on September 13, 2024.



Photographs found on VARY's phone depicting him holding a Ruger SR 45 and an unknown pistol. The right and left photographs were created on June 28, 2024.

13. The Ruger SR 45 that Jackson Police Department recovered from Suspect Vehicle 1 on September 13, 2024, did not have the light attached to it as depicted in the photos on VARY's and S2's phone. Based on my training and experience, I am aware that attachments such as this flashlight are interchangeable are easily added and removed.

14. The search of VARY's phone also recovered relevant text messages. For example, on August 22, 2024, VARY had a text message conversation with S2's boyfriend, "J.C.", discussing VARY purchasing a "45." Based on my training and experience, I know that "45" can refer to a

.45 caliber handgun. The text message chain included the following exchange:

J.C.: Buy the 45 off me

VARY: How much

J.C.: I paid 400

J.C.: Add 50 when I got it ?

VARY: Wym

J.C.: \$450

VARY: Ight can I give you \$200 tomorrow a the other \$250 next time I get paid??

15. Additionally, the day after officers seized the Ruger SR 45 from Suspect Vehicle 1, VARY exchanged text messages with a family member, “E.S.” about registering the Suspect Vehicle 1:

E.S.: You okaa??

VARY: Yeah why?

E.S.: Thought this was your car

[Picture of a white jeep matching the description of Suspect Vehicle 1 with the doors open and police cars visible sent].

VARY: It was

E.S.: Whaa happened??

VARY: They took it

E.S.: Gtfoh

[female symbol]

VARY: Yeah

E.S.: You can get it once you get it registered?

VARY: Ok

16. VARY has a previous felony conviction for carrying a concealed weapon. He is also on supervised release in the Eastern District of Michigan for felony fraud offenses.

17. I consulted with ATF Special Agent Joshua McLean, who is a designated interstate nexus expert. Based on his training and experience, SA McLean determined that Ruger 45 SR, .45 caliber pistol recovered on September 13, 2024, was not manufactured in Michigan and therefore, traveled in interstate and foreign commerce prior to VARY's possession.

CONCLUSION

8. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that, on or about September 13, 2024, Elisha VARY possessed a firearm as prohibited person in violation of Title 18, United States Code, Section 922(g).

Respectfully submitted,

A handwritten signature in blue ink that reads "Jessica M. Salley". The signature is written in a cursive style with a horizontal line underneath it.

JESSICA M. SALLEY
Special Agent
Bureau of Alcohol, Tobacco, Firearms
& Explosives

Sworn to before me in my presence
and/or or by reliable electronic
means.

A handwritten signature in blue ink that reads "David R. Grand". The signature is written in a cursive style with a horizontal line underneath it.

Honorable David R. Grand
United States Magistrate Judge

May 27, 2025